

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRIAN E. THRANE and JOANN
THRANE-CARLEY,

Plaintiffs,

ORDER

CV 08-4149 (ADS)(ARL)

-against-

LITTON LOAN SERVICES LP and
FRANKLIN FIRST FINANCIAL, LTD.,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is defendant Franklin First Financial, Ltd.'s ("Franklin First") letter application dated October 28, 2010, seeking to compel the plaintiffs to respond to (i) the First Request for Production of Documents, dated April 29, 2009, (ii) the Second Request for Production of Documents, dated October 4, 2010, and (iii) automatic Rule 26 disclosures. To date, the plaintiffs have not responded to any of the discovery requests nor have they submitted opposition to this motion.¹ Accordingly, the defendant Franklin First's motion is granted. By November 15, 2010, the plaintiff shall respond to all outstanding discovery demands as well as serve automatic Rule 26 disclosures. Failure to comply with this order may result in the imposition of sanctions including a recommendation that this case be dismissed for failure to prosecute.

The parties are reminded that all discovery, inclusive of expert discovery, must be completed by December 6, 2010. Any party planning on making a dispositive motion shall take the first step in the motion process by December 20, 2010. A final conference will be held on December 29, 2010 at 11:00 a.m. The parties are directed to electronically file a proposed joint pretrial order prior to the final conference.

Dated: Central Islip, New York
November 8, 2010

SO ORDERED:

/s/

ARLENE R. LINDSAY
United States Magistrate Judge

¹By order, dated October 5, 2010, the court granted the parties one final sixty day extension to complete all discovery despite the fact that this case has been pending for two years and the parties had not exchanged any discovery except certain Rule 26(a) disclosures nor have they taken depositions.